

Serial No.: 09/942,977

REMARKS

Claims 1, 3-6, 11, 15, 18, and 19 are pending in the present application after this amendment cancels claims 7-10, 12-14, 16, 17, and 20. Claims 6, 11, and 15 are amended to correct typographic errors and/or clarify the subject matter recited therein. No new matter is added. In view of the following remarks, favorable reconsideration of this case is respectfully requested.

Applicants note with appreciation that the Examiner acknowledges that claims 1, 3-5, 18, and 19 are allowable.

Claims 6, 11, and 15 (claims 7-10, 12-14, 16, 17, and 20, 17, and 20 stand rejected under 35 U.S.C. § 102(b) as being by anticipated United States Patent No. 5,892,900 to Ginter et al. (hereafter Ginter). Applicants respectfully traverse.

The Examiner recognizes that Ginter does not disclose the embedded digital contents itself causing the transmission of the content utilizing history (Office Action; page 7, lines 16-20). Applicants do not agree with the Examiner that the mere presence of the digital information in Ginter concurrently with a periodic transmission discloses digital information *causing* the periodic transmission. However, in the interest of expediting prosecution, Applicants amend herein claims 6, 11, and 15 to recite the feature that the embedded information *triggers* the terminal to transmit a contents utilizing history. The use of the word “triggering” or “triggers” in this context is supported in the specification at least at page 18, line 27, to page 19, line 17. Additionally, the use of amendment is supported throughout the specification by use of the word “causing” in view of the synonymous meaning of trigger and cause, as supported in Roget’s New Millennium™ Thesaurus, First Edition. It is respectfully submitted that the amended claims are allowable over Ginter, and therefore the rejections should be withdrawn.

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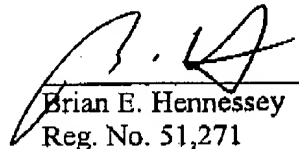
The rejection of claim 16 under 35 U.S.C. 103(a) as being unpatentable over Ginter is obviated by the cancellation of this claim.

CONCLUSION

In view of the remarks set forth above, this application is believed to be in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,


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Docket No.: 100809-16280 (SCEW 18.970)

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